IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 1510 of 2002

For Approval and Signature:

Hon'ble MR.JUSTICE B.J.SHETHNA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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RAJENDRA @ RAJU BHAVRAV SARODE

Versus

STATE OF GUJARAT

Appearance:

1. Criminal Misc.Application No. 1510 of 2002

MR ZUBIN F BHARDA for Petitioner No. 1

MR KC SHAH, Ld. APP for Respondent No. 1

CORAM : MR.JUSTICE B.J.SHETHNA

Date of decision: 10/04/2002

ORAL JUDGEMENT

The learned Counsel, Shri Z.F.Bharda for the petitioner-accused submits that the case of the present petitioner-accused, Rajendra Alias Raju Bhavrav Sarode,

is similar to the case of Amol Pandurang Harad, whose Criminal Misc. Application No.959 of 2002 was allowed by this Court (Coram: R.P.Dholakia, J.) on 20-2-2002 while dismissing the said application qua two other accused namely Prashant Alias Kaliram Narayan Jadav and Parmeshwar Shivling Hondrav. Therefore, the present petitioner-accused be enlarged on bail.

2. Hence Rule. The learned APP, Shri K.C. Shah waives service of rule on behalf of the respondent State of Gujarat.

3. The parties do not press for reasoned order. Considering the submissions made on behalf of the parties and having regard to the facts and circumstances of the case, the petition is allowed and the petitioner-accused is ordered to be released on bail in connection with the Crime Register No.I-101 of 2001 of Palsana Police Station on his executing a bond of Rs.5,000/- (Rupees five thousand only) and on depositing an amount of Rs.5,000/- (Rupees five thousand only) before the lower Court and subject to the conditions that he shall,

(a) not take undue advantage of his liberty or abuse his liberty;

(b) not act in a manner injurious to the interest of prosecution;

(c) maintain law and order;

(d) mark his presence before the concerned Police Station on 1st and 15th of every month between 9.00 am and 2.00 pm for a period of six months;

(e) not leave the local limits of Valsad, Navsari and Surat Districts for a period of six months without prior permission of the Sessions Judge, Surat;

(f) furnish the address of his residence at the time of execution of the bond and shall not change the residence without prior permission of this Court;

(g) surrender his passport, if any, to the lower Court within a week.

4. If breach of any of the above conditions is committed, the Sessions Judge concerned will be free to issue warrant or take appropriate action in the matter.

5. Bail bonds to be executed before the lower Court having jurisdiction to try the case.

6. Rule is made absolute. Direct service is permitted.

10-4-2002 (B.J.Shethna, J.)

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